



The Municipal Corporation of the Town of Fort Erie

By-law No. 140-2021

Being a By-law to Accept and Declare a Daylighting Triangle as Public Highway at the Southwest Intersection of Cook Avenue and Poplar Avenue (129 Cook Avenue) 1314420 Ontario Ltd. (B. Cosby)

Whereas pursuant to the Decision of the Town of Fort Erie Committee of Adjustment, File No. B30/21 F.E., the owner, 1314420 Ontario Ltd., is required to convey lands to The Corporation of the Town of Fort Erie for the purpose of a daylighting triangle at the southwest intersection of Cook Avenue and Poplar Avenue, gratuitously, free and clear of all encumbrances; and

Whereas the *Municipal Act, 2001*, as amended, provides that if a municipality acquires land for the purpose of widening a highway, the land acquired forms part of the highway to the extent of the designated widening; and

Whereas it is deemed desirable to authorize the acceptance of lands for road widening purposes, and declare and assume same as public highway forming part of Cook Avenue;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the acceptance of land from 1314420 Ontario Ltd., legally described as Part of Lot 347, Plan 433, Bertie, designated as Part 3 on Reference Plan 59R-17090; Fort Erie, being part of PIN 64199-0025 (LT) (the "Lands") for road widening purposes, free and clear of all encumbrances, is authorized and approved.
2. **That** the Lands are established, laid out, declared and assumed as public highway forming part of Cook Avenue, for public use.
3. **That** upon final passage of this by-law, the Town Law Clerk shall cause same to be registered in the Land Registry Office.
4. **That** the Mayor and Clerk are authorized and directed to execute all documentation necessary to complete this transaction.
5. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 22nd day of November, 2021.

Mayor

Clerk